

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 January 2021</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	P/20/1202
Planning Proposal:	Erection of residential development comprising 19 flatted units and associated works

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Patersons of Greenoakhill Limited
- Location : 53 Union Street  
Hamilton

## 2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – Subject to Conditions (based on the conditions attached).

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:-

- The provision of open space, landscaping and recreational areas, including the provision of appropriate fixed play areas.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the developers.

### 3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s):
  - South Lanarkshire Local Development Plan (Adopted)**
    - Policy 2 - Climate Change
    - Policy 4 - Development Management and Placemaking
    - Policy 5 - Community Infrastructure Assessment
    - Policy 6 - General Urban Area /Settlements
    - Policy 14 - Green Network and Greenspace
    - Policy 15 - Natural and Historic Environment
  - South Lanarkshire Local Development Plan (Supplementary Guidance)**
    - Development Management, Place Making and Design SG**
      - Policy DM1 - Design
      - Policy DM13 - Development within General Urban Area/Settlement
    - Natural and Historic Environment SG**
      - Policy NHE3 - Listed Buildings
      - Policy NHE7 - Conservation Areas
    - Green Network and Green Space SG**
    - Community Infrastructure Assessment SG**
    - Sustainable Development and Climate Change SG**
      - Policy SDCC2 - Flood Risk
      - Policy SDCC3 - Sustainable Drainage Systems
      - Policy SDCC4 - Water Supply
      - Policy SDCC5 - Foul Drainage and Sewerage
    - Residential Design Guide**
    - South Lanarkshire Local Development Plan 2 (Proposed)**
      - Policy 2 - Climate Change
      - Policy 3 - General Urban Area /Settlements
      - Policy 5 - Development Management and Placemaking
      - Policy 7 - Community Infrastructure Assessment
      - Policy 13 - Green Network and Greenspace
      - Policy 14 - Natural and Historic Environment
      - Policy DM1 – New Development Design
      - Policy DM15 - Water Supply

Policy DM16 - Foul Drainage and Sewerage  
Policy NHE3 - Listed Buildings  
Policy NHE6 - Conservation Areas  
Policy SDCC2 - Flood Risk  
Policy SDCC3 - Sustainable Drainage Systems

◆ Representation(s):

- ▶ 5 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Roads (Development Management)

Roads (Flood Risk Management)

Environmental Services

Arboriculture Services

Community and Enterprise Resources - Play Provision

Scottish Water

SEPA

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to the curtilage of a former dwelling at 53 Union Street, Hamilton which sits to the south of, and fronts directly onto, Union Street close to its junction with Auchingramont Road. The site is bound on three sides by residential properties, with Cadzow Burn and land associated with Hamilton Grammar School forming the remaining boundary.
- 1.2 The site is currently largely vacant following the demolition of the former dwellinghouse in 2015. However, a number of mature trees remain on site, mainly around its perimeter.
- 1.3 The application site lies within the Hamilton No.1 Conservation Area and it is noted that, the adjacent property, at 51 Union Street, is designated as a Category B Listed Building.

### **2 Proposal(s)**

- 2.1 Permission is sought for the erection of a flatted development, comprising 19 units. The proposed property would sit approximately centrally, within the site, with parking (for 38 cars) to the front and amenity space to the sides and rear. The submitted scheme indicates that a single vehicular entrance and exit arrangement from Union Street is proposed. The majority of the flats within the development would contain 2 bedrooms whilst the three top floor flats would each contain 3 bedrooms.
- 2.2 Given the ground levels within the site, the proposed property would have the appearance of being three storeys to the front, whilst to the rear it would be four storeys in height. It is proposed that the building would be finished externally with a combination of facing brick, roughcast and timber cladding, with a flat roof design.
- 2.3 A number of documents have been submitted in support of the application proposals, namely a Design Statement, Design Risk Assessment, Drainage Strategy, Fire Engineered Strategy, Flood Risk Assessment, Ground Investigation Report, Japanese Knotweed Treatment Programme, List of Trees, Material Specifications, Noise Assessment, Sustainable Drainage Design Compliance Certificate, Tree Survey Report and Tree Survey Update.

### **3 Background**

#### **3.1 Local Plan Policy**

- 3.1.1 In determining planning applications, the Council must assess the proposal against the policies contained within the adopted South Lanarkshire Local Development Plan (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 Given the nature of the application, it is considered that Policies 2 – Climate Change, 4 – Development Management and Place Making, 5 - Community Infrastructure Assessment, 6 – General Urban Area/Settlements, 14 - Green Network and Greenspace and 15 - Natural and Historic Environment) are appropriate to the determination of this application. In addition, the Policies and Guidance within the Council's adopted Supplementary Guidance are of relevance; namely Development Management, Place Making and Design SG (Policies DM1 – Design and DM 13 – Development within General Urban Area/Settlements), Natural and Historic Environment SG (Policies NHE3 - Listed Buildings and NHE7 - Conservation Areas), Sustainable Development and Climate Change SG (Policies SDCC2 - Flood Risk, SDCC3 – Sustainable Drainage System, SDCC4 – Water Supply, and SDCC5 – Foul Drainage and the Council's approved Residential Design Guide.

- 3.1.3 In addition, on 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) (SLLDP2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 2 – Climate Change, 3 – General Urban Areas/Settlements, 5 – Development Management and Place Making, 7 - Community Infrastructure Assessment, 13 - Green Network and Greenspace, 14 - Natural and Historic Environment, DM1 – New Development Design, DM15 - Water Supply, DM16 - Foul Drainage and Sewerage, NHE3 - Listed Buildings, NHE6 - Conservation Areas, NHE9 - Protected Species and SDCC2 - Flood Risk, are all relevant.
- 3.1.4 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of SLLDP2 and a number of modifications to the Plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. The Council will, therefore, assess proposals against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan. As SLLDP2 is now approved for adoption, when considering planning applications, greater weight should be given to the policies and guidance contained in this Plan.
- 3.1.5 The aim of the above policies and guidance is to seek a development that is appropriately designed, located, serviced and results in no adverse impact on the surrounding area. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

## 3.2 Planning Background

- 3.2.1 As noted earlier in the report, the dwellinghouse which had once occupied the site was demolished in 2015 due to public safety concerns. Thereafter, an application for the redevelopment of the site with a flatted development was approved in November 2016 (application HM/16/0034). Two subsequent applications were approved in 2018. The first introducing carports within the development (P/18/0583) and the second, proposing minor alterations to the building design (P/18/0020/V).
- 3.2.2 It should be noted that, the current application is the same as the previously approved proposals (as amended).

## 4 Consultation(s)

- 4.1 **Roads (Development Management)** – have offered no objections, subject to conditions relative to access and parking standards, visibility splay provision, closure of an existing access and surface water trapping.  
**Response:** Appropriately worded conditions can be attached to any consent issued to address these points.
- 4.2 **Roads (Flood Risk Management)** – have no objections to the application subject to the undertaking of a Flood Risk/Drainage Assessment in accordance with the latest industry guidance listed within the Council's Developer Design Guidance Note dated May 2020 and the provision of a sustainable urban drainage system (SUDS) within the site.  
**Response:** Appropriately worded conditions can be attached to any consent issued.

4.3 **Environmental Services (ES)** – have not yet responded.

**Response:** Notwithstanding the above, it is noted that ES offered no objections, subject to conditions, to the previous application, for a development of the same scale, character and description to the current scheme. The required conditions related to installation of a high specification of glazing to address any potential road traffic noise issues and to address dust mitigation/control, residential waste, noise, pest control and contamination. It is intended, in the absence of further comments from ES, to include appropriately worded conditions and/or informatives to address any matters raised, should the application be approved.

4.4 **Arboriculture Services** – have no objection to the proposal subject to conditions relating to the protection of trees.

**Response:** An appropriately worded condition will be attached to any consent issued.

4.5 **Community and Enterprise Resources - Play Provision** – have confirmed that a financial contribution should be sought to address the likely impact of the development on existing community/recreational facilities within the area.

**Response:** This request is consistent with the Council's approved policies and guidance on Community Infrastructure Assessment within both the adopted and proposed South Lanarkshire Local Development Plans.

4.6 **Scottish Water** – have offered no comment.

**Response:** Notwithstanding this, a condition would be attached to any consent issued requiring the applicants to provide confirmation that the site can be satisfactorily served by a sewerage system designed in accordance with Scottish Water's standards prior to commencement of works on site.

4.7 **SEPA** – have offered no objections to the application proposals.

**Response:** Noted.

## **5 Representation(s)**

5.1 Statutory neighbour notification procedures were undertaken in respect of the development and the application was advertised in the Hamilton Advertiser due to the site's location within a Conservation Area. In response, 5 letters of representations were received.

5.2 The grounds of objection can be summarised as follows:-

a) **Concerns over the proposed design and scale, including the location and design of the proposed carports, particularly within a designated conservation area.**

**Response:** The site is capable of accommodating the scale of building proposed, with sufficient amenity space and on-site parking being provided to allow an appropriate setting for the building without it appearing overdeveloped. The building will be three storeys in height when viewed from Union Street and will complement existing properties within the streetscene. Union Street has a variety of house types and styles.

It is considered that the location and design of the proposed carports will not impact adversely on the character of the area, nor the conservation area, within which it is located.

Through the use of appropriate external finishes, it is considered that the introduction of this flatted development will not have a detrimental impact on the area in general, the conservation area within which it is located or the

adjacent Category B listed building within the adjoining site. It is, therefore, considered that the scale and design of the proposed building is acceptable in this instance. In addition, it should be noted that the proposals reflect what has previously been approved on this site.

**b) Concerns over road and public safety due to increased traffic movements, on street parking.**

**Response:** Whilst Union Street is a main traffic route through Hamilton, it is considered that the proposed development would not raise any significant concerns in terms of road safety. Concerns have been raised in relation to Union Street being a route to school and nursery facilities. However, any users of the properties would require to exercise due care and attention, similar to any other property within Union Street, when accessing/egressing the site.

Furthermore, it is noted that Roads and Transportation Services have offered no objections to the proposal, subject to conditions, and it is, therefore, considered that the development would be acceptable in road safety terms.

**c) Concerns over the impact of the development in terms of existing drainage infrastructure.**

**Response:** The Councils' Roads (Flood Risk Management) have offered no objections to the proposal subject to conditions relative to the provision of an appropriate drainage system. In addition, it is noted that details were submitted in terms of the previously approved application for a similar development. It is, therefore, considered that this matter can be addressed, again, through the use of appropriate conditions.

**d) Concerns over the loss of privacy.**

**Response:** Given the orientation and location of the proposed building to surrounding properties it is considered that there will be no significant adverse impact on the privacy and amenity of neighbouring properties as a result of the proposed development.

**e) Concerns over the potential for increased noise pollution.**

**Response:** Whilst there is potential for increased noise disturbance during the construction phase of the development, this can be mitigated through appropriate on-site management. Any significant issues, should they occur, can be pursued through environmental health legislation.

The proposal to site a flatted residential development at this location is appropriate in land use terms and is compatible with surrounding properties. It is considered that there will not be any significant impact on neighbouring properties in terms of noise and disturbance from the development once completed.

**f) Concerns over the impact on trees, particularly along common boundaries.**

**Response:** The site has been assessed in terms of the impact on trees within the site and a number of trees within the site have been identified for removal. However, it is considered that a sufficient number of trees will be retained on site to provide amenity value for the development and surrounding area. In addition, appropriate landscaping can enhance the development and benefit the surrounding area.

## **6 Assessment and Conclusions**

- 6.1 This application proposes the erection of a flatted residential development, with associated parking and amenity space within the grounds of a former residential dwelling at 53 Union Street, Hamilton. The scheme is essentially a renewal of a lapsed consent given that the scale, design and location of the proposed properties is broadly similar to the previously approved scheme.
- 6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997, requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local plan policy.
- 6.3 The adopted South Lanarkshire Local Development Plan (SLLDP) designates the site as being primarily within a general residential zoning (Policy 6). The principle of the continued use of the site for residential purposes is acceptable in this regard, subject to compliance with relevant development management criteria.
- 6.4 Policy 2 - Climate Change advises that proposals for new development must minimise and mitigate against the effects of climate change. There is various assessment criteria but of importance, in this instance, is the need to be sustainably located and maximise the reuse of vacant and derelict land.
- 6.5 In terms of the impact on the area designated as a Green Network (Policy 14) which applies to the southern part of the site, it is noted that, the development area within the application site is located outwith this designation. Whilst some work will be undertaken within this area, in relation to the provision of amenity space, it is considered that the effectiveness of the green network will remain. This is compatible with the aims of this policy and its supplementary guidance.
- 6.6 The matters considered appropriate, in terms of development management criterion, are set out within Section 3.2.3 above. Principally, the stated policies and guidance seek to ensure that any development within an area which is predominantly residential in character does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in a manner which takes cognisance of appropriate guidance and the area within which it is located. The design, layout and scale of the development and finishing materials proposed are all acceptable whilst adequate off street parking would be provided. Overall, it is considered that the proposal complies with the relevant policies contained in the adopted and proposed local plans and supplementary guidance.
- 6.7 Through Policy 6 and Policy 4 - Development Management and Placemaking, the Council seeks to ensure that development proposals take account of the local context and do not have a significant adverse effect on the amenity and character of the area. These aims are supported by the Council's approved Supplementary Guidance (SG) on Development Management, Place Making and Design (Policies DM1 – Design and DM13 - Development within General Urban Area/Settlement). With regard to the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to open space and car parking provision. It is further considered that the proposed development will be in keeping with the existing residential development in the surrounding area. The proposal, therefore, accords with Policies 4, DM 1 and DM13 of the SLLDP and supplementary guidance.



- 6.8 The site has an urban location with sewerage and water infrastructure nearby. On this basis, it is considered that the proposal accords with SDCC 2, SDCC 3, SDCC 4 and SDCC 5 of the SLLDP's supplementary guidance on Sustainable Development and Climate Change.
- 6.9 The site lies within a designated Conservation Area. In this regard Policy 15 - Natural and Historic Environment of the SLLDP identifies conservation areas as Category 3 (Local) designations. Within such areas, development will only be allowed where the protected resources will not be significantly undermined. Through Policy NHE7 - Conservation Areas of the Natural and Historic Environment SG the Council seeks to preserve or enhance the character of a Conservation Area. Furthermore, the adjacent property is a Category B listed building. Notwithstanding these facts, it is considered that the redevelopment of the site, as proposed, will have no detrimental impact on the setting of the conservation area within which it lies or the adjacent listed building. The surrounding properties at this location include a variety of styles and finishing materials, including flatted developments and, therefore, the introduction of further flatted units raises no new issues. In addition, the proposed building will be sited in a manner which will not adversely affect the listed building.
- 6.10 The Council's adopted policy on Developer Contributions as set out within the Residential Design Guide and Policy 5 - Community Infrastructure Assessment and its supplementary guidance identifies that a developer contribution is required towards recreational/open space provision.
- 6.11 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that the proposal accords with Policies 1, 2, 3, 5, 15, DM1, DM7, DM15, DM16, SDCC3 and SDCC4 contained in the proposed plan.
- 6.12 On 17 August 2020 the Directorate for Planning and Environmental Appeals issued its report of the Examination of SLLDP2 and a number of modifications to the Plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications; the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. The Council will, therefore, assess proposals against the policies contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan. As SLLDP2 is now approved for adoption when considering planning applications, greater weight should be given to the policies and guidance contained in this Plan.
- 6.13 Whilst third party representations have been received, these are not of significant weight or merit to warrant the refusal of the proposal in their own right. Any requirements of the various consultees can be addressed through the use of conditions, where appropriate.
- 6.14 In conclusion, it is considered that in terms of the detailed development of the site, the application proposal conforms to both national and local plan policy and that it raises no significant environmental, infrastructure or road safety issues. The proposal will deliver a development which is of a high quality design, consistent with surrounding development, and will contribute towards the Council meeting its housing needs

targets. It is further noted that the current proposals are the same as previous applications which were approved by the Council and there has been no significant change in either the site characteristics or applicable policy guidance.

- 6.15 The proposed development is considered to be acceptable and complies with the relevant policies contained in the adopted and proposed local plans and relevant supplementary guidance. On the basis of the above assessment, it is recommended that planning permission be granted subject to the conditions listed. However, the issue of consent should be withheld until the conclusion of the associated planning obligation under Section 75 of the Planning Act.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on residential or visual amenity and raises no road safety concerns.

The proposal accords with the policies of the South Lanarkshire Local Development Plan and Supplementary Guidance (namely Policies 2 – Climate Change, 4 - Development Management and Placemaking, 5 - Community Infrastructure Assessment, 6 – General Urban Area/Settlements, 14 - Green Network and Greenspace, 15 - Natural and Historic Environment, DM1 – Design, DM 13 – Development within General Urban Area/Settlements, NHE3 - Listed Buildings, NHE7 - Conservation Areas, SDCC2 - Flood Risk, SDCC3 – Sustainable Drainage System SDCC4 – Water Supply and SDCC5 – Foul Drainage and Sewerage).

Furthermore, the proposal accords with the requirements of the policies and guidance within the proposed South Lanarkshire Local Development Plan 2 (namely Policies 2 – Climate Change, 3 - General Urban Areas, 5 - Development Management and Place Making, 7 - Community Infrastructure Assessment, 13 - Green Network and Greenspace, 14 - Natural and Historic Environment, DM1 – Design, DM15 – Water Supply, DM16 – Foul Drainage and Sewerage, NHE3 - Listed Buildings, NHE6 - Conservation Areas, SDCC2 - Flood Risk and SDCC3 – Sustainable Drainage Systems).

There are no other material considerations that would justify the refusal of consent.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

18 January 2021

### **Previous References**

- ◆ Planning Committee - 24 May 2016 - HM/16/0034
- ◆ P/18/0583

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted)
- ▶ South Lanarkshire Local Development Plan (Supplementary Guidance)
- ▶ South Lanarkshire Local Development Plan 2 (Proposed)
- ▶ Neighbour notification letter dated 25 September 2020
- ▶ Press Advert dated 8 October 2020
- ▶ Design Statement

- ▶ Design Risk Assessment
- ▶ Drainage Strategy
- ▶ Fire Engineered Strategy
- ▶ Flood Risk Assessment
- ▶ Ground Investigation Report
- ▶ Japanese Knotweed Treatment Programme
- ▶ List of Trees, Material Specifications, Noise Assessment
- ▶ Sustainable Drainage Design Compliance Certificate
- ▶ Tree Survey Report
- ▶ Tree Survey Update
  
- ▶ Consultations
 

Roads and Transportation Services (Hamilton Area)	04/10/2020
Roads and Transportation Services (Flood Risk Management Section)	09/12/2020
Environmental Services	
Arboriculture Services	12/10/2020
Community and Enterprise Resources - Play Provision	
Scottish Water	01/10/2020
S.E.P.A. (West Region)	11/10/2020
  
- ▶ Representations
 

Representation from :	Mrs Maria Hose, 76 Union Street, Hamilton DATED 29/09/2020
Representation from :	Dr Helen Park, 68 Union Street. Hamilton DATED 08/10/2020
Representation from :	Mr 7Mrs Di Mambro, 70 Union Street, Hamilton DATED 12/10/2020
Representation from :	Alan Gibson, 55b Union Street, Hamilton DATED 13/10/2020
Representation from :	Derek Paton, 55A Union Street, Hamilton DATED 16/10/2020

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

James Watters, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton  
ML3 6LB  
Ext: 4970 (Tel: 01698 454970)  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

## CONDITIONS

- 1 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

- 2 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: These details have not been submitted or approved.

- 3 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: These details have not been submitted or approved.

- 4 That before any of the properties situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 3 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

- 5 Any stone repairs necessitated by this development shall precisely match the colour and texture of the existing stone (as cleaned).

A sample panel of stonework repairs shall be prepared to match the cleaned stonework in colour, texture and coursing for inspection and written approval from the Council as Planning Authority prior to the commencement of this aspect of the works.

Reason: In the interests of amenity and in order to retain effective planning control.

- 6 That before any of the properties hereby approved are occupied, details of the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority. Thereafter, prior to the occupation of any dwelling, the approved scheme shall be implemented and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is

achieved and to ensure that appropriate access is available to enable refuse collection.

- 7 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90.0 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interest of road safety.

- 8 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interest of road safety.

- 9 That before any work commences on the site a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:-

- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
  - (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
  - (c) details of any top-soiling or other treatment to the ground;
  - (d) sections and other necessary details of any mounding, earthworks and hard landscaping;
  - (e) proposals for the initial and future maintenance of the landscaped areas;
  - (f) details of the phasing of these works; and
- no work shall be undertaken on the site until approval has been given to these details.

Reason: In the interests of the visual amenity of the area.

- 10 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of amenity.

- 11 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 10 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.

Reason: In the interests of amenity.

- 12 That no further trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, other than those identified within the submitted Tree Survey (by Angus Mackay, dated July 2018), without the prior written consent of the Council as Planning Authority.

Reason: To ensure the protection and maintenance of the existing mature trees within the site.

- 13 Prior to the commencement of the development hereby approved (including any demolition and all preparatory work), an Updated Tree Survey, Tree retention/removal plan (finalised), scheme for the protection of the retained trees (Tree Protection Plan), in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and Arboricultural Impact Assessment and arboricultural method statement (AMS) shall be submitted to and approved in writing by the Council as Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- (a) Location and installation of services/ utilities/ drainage.
- (b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- (c) Details of construction within the RPA or that may impact on the retained trees.
- (d) A full specification for the installation of boundary treatment works.
- (e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- (f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- (g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- (h) A specification for scaffolding and ground protection within tree protection zones.
- (i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- (j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- (k) Boundary treatments within the RPA
- (l) Methodology and detailed assessment of any root pruning
- (m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- (n) Reporting of inspection and supervision

The development shall thereafter be implemented in strict accordance with the approved details.

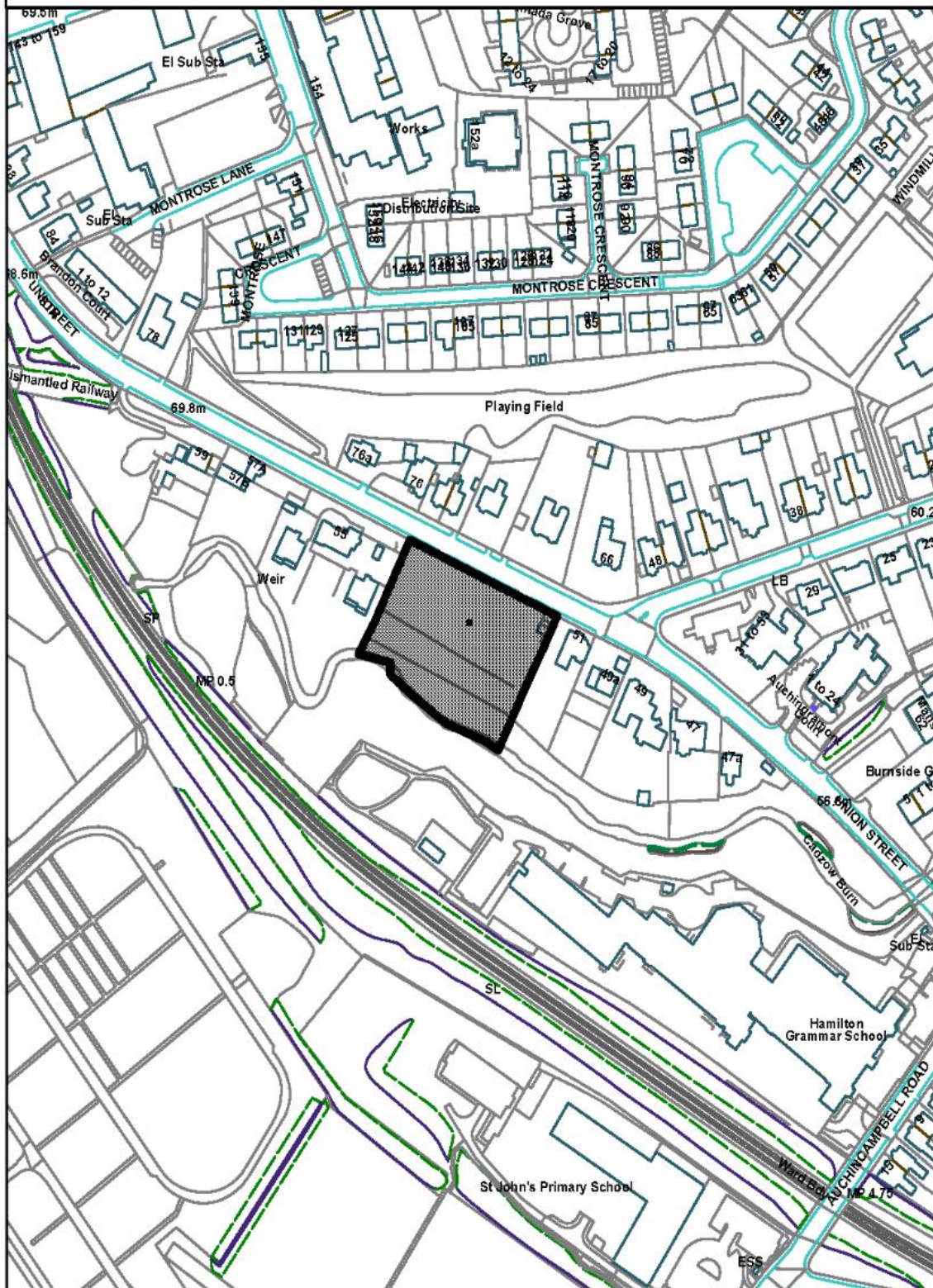
Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

- 14 All trees to be removed must be replaced by semi-mature/mature trees of a similar species at the locus to the satisfaction of the Council as Planning Authority.
- Reason: In the interests of amenity.
- 15 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.
- Reason: To ensure the provision of a satisfactory land drainage system.
- 16 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.
- Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 17 That prior to any work starting on site, a Flood Risk/Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- Reason: To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 18 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- Reason: To minimise the risk of nuisance from dust to nearby occupants.
- 19 That the findings within Section 4 of the submitted Noise Assessment (EnviroCentre dated April 2016) shall be implemented throughout the development. Prior to any works commencing on site, details of the proposed glazing shall be submitted to, and agreed by, the Council as Planning Authority.
- Reason: In the interests of amenity and in order to retain effective planning control.
- 20 That no residential unit shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- Reason: To ensure the provision of a satisfactory sewerage system.



P/20/1202

Site of Former 53 Union Street, Hamilton



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Scale:  
1:2,500  
Date:  
18/12/2020



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development